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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,260	12/20/2001	Daniel Mercola	ADA.001CIP1	6405
26990	7590	10/31/2005	EXAMINER	
DAVID B. WALLER & ASSOCIATES 5677 OBERLIN DRIVE SUITE 214 SAN DIEGO, CA 92121			SWITZER, JULIET CAROLINE	
			ART UNIT	PAPER NUMBER
			1634	

DATE MAILED: 10/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

1005

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Commissioner for Patents

This correspondence is in response to the papers filed 10/5/05.

The request to correct the inventorship of this nonprovisional application under 37 CFR 1.48(a) is deficient because:  
There is no request to correct the inventorship that sets forth the desired inventorship change as required by 37 CFR

1.48(a)(1), and an oath or declaration by each actual inventor or inventors listing the entire inventive entity has not been submitted.

Applicant filed a paper entitled "Petition for Correction of Inventorship under 37 C.F.R. 1.48(a)." This paper has a single paragraph with a statement that the error in inventorship occurred without deceptive intention. This paper does not clearly set forth the requested change to the inventorship.

Applicant is reminded that MPEP 201.03 states that "An oath or declaration under 37 CFR 1.63 by each actual inventor must be presented. While each inventor need not execute the same oath or declaration, each oath or declaration executed by an inventor must contain a complete listing of all inventors so as to clearly indicate what each inventor believes the appropriate inventive entity." The declaration filed 10/5/05 contained a listing of four inventors but only the signature of two inventors.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Juliet C Switzer whose telephone number is (571) 272-0753. The examiner can normally be reached on Monday, Tuesday and Thursday, from 9:00 AM until 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached by calling (571) 272-0745.

The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-0507

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the

number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

**For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.**

Juliet C. Switzer  
Primary Examiner  
Art Unit 1634

October 24, 2005



JULIET C. SWITZER  
PRIMARY EXAMINER